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*Attorneys for Defendant Nevada Charter Academies d/b/a American Preparatory Academy – Las Vegas*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**AMERICAN PREPARATORY SCHOOLS,  
INC., a Utah Corporation,**

Case Number:  
2:20-cv-01205-JAD-NJK

Plaintiff,  
VS.

NEVADA CHARTER ACADEMIES d/b/a  
AMERICAN PREPARATORY ACADEMY—  
LAS VEGAS, a Nevada Corporation,  
RACHELLE HULET, an individual,

## Defendants.

**STIPULATION AND ORDER TO  
EXTEND TIME FOR FILING OF  
RESPONSES TO THIRD AMENDED  
COMPLAINT**

AND

**STAY ALL PROCEEDINGS TO  
FINALIZE SETTLEMENT**

**(FIFTH REQUEST)**

ECF Nos. 93, 96

Plaintiff American Preparatory Schools, Inc. (“Plaintiff”), by and through its counsel of record, the law firms of Parr Brown Gee & Loveless and the Takos Law Group, LTD., Defendant Nevada Charter Academies d/b/a American Preparatory Academy – Las Vegas (“APA”), by and through its counsel of record, the law firms of Lipson Neilson P.C. and Hayes Wakayama, and Defendant Rachelle Hulet (“Hulet”), by and through her counsel of record, the law firm of Hogan Hulet, (collectively the “Parties”), hereby stipulate and agree as follows:

1       1. On December 16, 2020, this Court filed an Order instructing the Plaintiff to file its  
2 Third Amended Complaint no later than December 18, 2020, and Defendants to file their responses  
3 to Plaintiff's Third Amended Complaint by January 15, 2021 [ECF No. 82].

4       2. On December 16, 2020, Plaintiff filed its Third Amended Complaint [ECF No. 83].

5       3. On January 12, 2021, a Notice of Appearance of Co-Defense Counsel was filed  
6 noticing the appearance of the law firm of Hayes Wakayama as co-defense counsel for Defendant  
7 APA, together with the law firm of Lipson Neilson [ECF No. 84].

8       4. The Parties had agreed to extend the deadline for Defendants' to file their responses  
9 to Plaintiff's Third Amended Complaint for two weeks from January 15, 2021 up through and  
10 including January 29, 2021. [ECF 87].

11       5. The reason for the Parties' requesting the third extension was they had recently  
12 engaged in meaningful resolution discussions, and the parties wished to conduct such negotiations  
13 without the complications that answers and counterclaims may have created.

14       6. It was accordingly in the best interest of all Parties not to publish the Defendants'  
15 responses to the Third Amended Complaint at the time, and the Parties agreed that a two-week  
16 extension would allow for further productive settlement discussions. Therefore, the Parties agreed  
17 to extend the deadline from January 29, 2021 to February 12, 2021.

18       7. Thereafter, the parties agreed to extend the deadline in order to participate in private  
19 mediation, as reflected in the Fourth Stipulation and Order to Extend. [ECF #91 & 92].

20       8. On May 3, 2021 and May 4, 2021, the parties participated in private mediation with  
21 Hon. Judge Trevor L. Atkin (Ret.) at Advanced Resolution Management.

22       9. After two full days of mediation, the parties continued to negotiate with the  
23 assistance of Judge Adkin throughout this past week, into today.

24       10. Today, on the evening of May 12, 2021, the parties reached an agreement to resolve  
25 all claims asserted, and not yet asserted.

1           11. The parties recognize that this Honorable Court indicated that no additional  
2 extensions will be granted; however, the parties are representing to this Court that the matter has  
3 resolved in principle.

4           12. The agreement is very complex insomuch as finalizing the agreement will require  
5 completion of due diligence to finalize the terms.

6           13. The due diligence will involve hiring additional parties to assist and finalize  
7 necessary transactions.

8           14. The parties desire to keep all issues confidential at this time given the nature of the  
9 claims.

10          15. Therefore, the parties request that this matter be stayed, entirely, in order to finalize  
11 the agreement for one hundred and twenty (120) days.

12          16. This is the fifth submission request for extension of time to file responses to  
13 Plaintiff's Third Amended Complaint, and the first request to stay the entire proceeding.

14          IT IS SO STIPULATED

15          Dated this 12th day of May, 2021  
16 **TAKOS LAW GROUP, LTD.**

17          By: /s/ Zachary P. Takos, Esq.  
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22          **PARR BROWN GEE & LOVELESS**  
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29          *Attorneys for Plaintiff American  
30          Preparatory Schools, Inc.*

31          ///

32          Dated this 12th day of May, 2021  
33 **HAYES | WAKAYAMA**

34          By: /s/ Dale A. Hayes, Jr., Esq.  
35            DALE A. HAYES, JR., ESQ.  
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37            LIANE K. WAKAYAMA, ESQ.  
38            Nevada Bar No. 11313  
39            JEREMY D. HOLMES, ESQ.  
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43          *Attorneys for Defendant Nevada Charter  
44          Academies d/b/a American Preparatory  
45          Academy – Las Vegas*

1 Dated this 12<sup>th</sup> day of May, 2021

2 **LIPSON NEILSON P.C.**

3 By: /s/ Lisa J. Zastrow, Esq.

4 JOSEPH P. GARIN, ESQ.  
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8 *Attorneys for Defendant Nevada Charter  
Academies d/b/a American Preparatory  
Academy – Las Vegas*

1 Dated this 12<sup>th</sup> day of May, 2021

2 **HOGAN HULET**

3 By: /s/ Kenneth E. Hogan, Esq.

4 KENNETH E. HOGAN, ESQ.  
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7 Las Vegas, Nevada 89144

8 *Attorneys for Defendant Rachelle Hulet*

11 **ORDER**

12 Based on the parties' stipulation [ECF No. 96] and good cause appearing, IT IS HEREBY  
13 ORDERED that **THIS ACTION IS STAYED** for all purposes thorough September 9, 2021.  
14 And because this action and all deadlines are stayed, the stipulation to extend time to respond to  
15 the third amended complaint [ECF No. 93] is DENIED as moot.

16   
U.S. District Judge Jennifer A. Dorsey  
17 Dated: May 13, 2021

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